

Application No. 10/749,051 - - - - 4

Remarks

Claims 2-8, 10 and 12 are under consideration.

Claim 2 is amended to further define the present invention.

Claim 6 is amended to incorporate therein the limitation of claim 9.

Claim 10 is amended to incorporate therein the limitation of claim 11.

Claims 9 and 11 are canceled without prejudice as redundant in view of the present amendments to claims 6 and 10, respectively.

The rejection of claims 6-8, 10 and 12 under 35 U.S.C. 102(b) as anticipated by U.S. Patent No. 5,826,975 to Hsieh et al. is no longer warranted, and is hereby traversed.

Even if it is assumed, *arguendo*, that reflector 64 serves as a coupler, claims 6-8 as amended call for the coupler to have an outwardly extending threaded screw for threadedly securing the coupler to the lamp base. Hsieh et al. do not teach that. Instead, reflector 64 has a bottom aperture that is threadedly received on lamp socket assembly 54. See FIG. 6, for example. Thus, reflector 64 is not secured to the lamp base nor does it have an outwardly extending threaded screw for achieving such securement.

The arrangement of parts shown in FIG. 9 of Hsieh et al. also does not anticipate present claims 6-8, 10 and 12. Here inner neck member 92 has a central bottom opening that receives nipple 83 and is held in place by nut 95 threaded onto nipple 83 (col. 5, lines 9-18). Again, neck member 92 does not have an outwardly extending threaded screw and is not secured to the lamp base.

Further as to claims 8 and 12, these claims expressly call for the cup of the coupler to be adapted to receive a candle. Neither reflector 64 nor neck member 92 has a structure that can perform this function.

Withdrawal of the anticipation rejection based on Hsieh et al. is believed to be in order.

The rejection of claims 2-5 as unpatentable over U.S. Patent No. 2,567,780 to Oppelt in view of U.S. Patent No. 1,890,378 to Godoy is not warranted, and is hereby traversed.

Lower section 12 of the chimney holder shown by Oppelt is outside the chimney 10. In contradistinction, the presently claimed lamp has a coupler with a cup within

Application No. 10/749,051 ----- 5

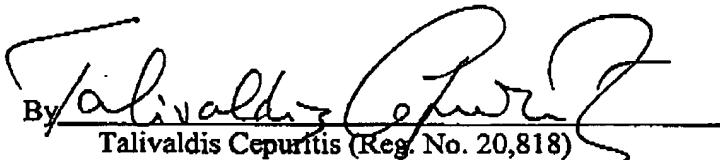
the shade and that extends through the lip (52) of the shade and into the neck of the base. As recognized by the Examiner, the lip of Oppelt's chimney does not sit in the neck, instead it is nested within the chimney holder, as can be readily seen in FIG. 2, and is spaced from the neck. The structure is entirely different from that presently claimed.

Godoy does not cure the deficiencies of Oppelt as a reference against claims 2-5. Base 10 of Godoy carries candle 15 directly (page 1, col. 1, lines 44-48). Bracket 20 of Godoy is not a neck for base 10. Instead, bracket 20 is carried by candle 15 (page 1, col. 2, lines 64-65) and has no connection to base 10 whatsoever. Globe 26 of Godoy is carried by bracket 20 (Fig. 2) and held in place by outside flange 24 and rests on bottom member 22 of bracket 20 (Fig. 3; page 2, col. 1, lines 6-9). The construction shown by Godoy is entirely different from that taught by Oppelt. Consequently, one of ordinary skill would not have had any reason whatsoever to look to Godoy when seeking to improve the lamp of Oppelt. One of ordinary skill clearly would not have had any motivation to mount the bracket 20 of Godoy atop of candle 7 of Oppelt.

The attempted combination of the teachings of Oppelt and Godoy is not workable. One of ordinary skill would not have done so for reasons advanced hereinabove. Withdrawal of the rejection is earnestly urged.

Early passing of this application to issue is solicited.

Respectfully submitted,

By 
Talivaldis Cepuritis (Reg. No. 20,818)

May 31, 2006

OLSON & HIERL, LTD.
20 North Wacker Drive, 36th Floor
Chicago, Illinois 60606
(312) 580-1180

CERTIFICATE OF FACSIMILE TRANSMISSION

I hereby certify that this AMENDMENT AND RESPONSE UNDER RULE 111 is being transmitted by facsimile transmission to Fax No. 571-273-8300 on May 31, 2006.


Talivaldis Cepuritis (Reg. No. 20,818)